



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,690	08/20/2001	Raymond T. Hsu	010500	6387

23696 7590 04/07/2004

Qualcomm Incorporated
Patents Department
5775 Morehouse Drive
San Diego, CA 92121-1714

EXAMINER

SOBUTKA, PHILIP

ART UNIT	PAPER NUMBER
----------	--------------

2684

DATE MAILED: 04/07/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trade Mark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

8

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Office Action Summary

Application No.

09/933,690

Applicant(s)

HSU, RAYMOND T.

Examiner

Philip J. Sobutka

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. Claims 1-4,6-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Birdwell et al (US 6,032,197).

Consider claim 10. Birdwell teaches a wireless system comprising means for generating a transmission frame (Birdwell see especially col 2, lines 13-32, col 6, lines 52-58), determining a header for her transmission frame (Birdwell see especially col 4, lines 16-33), compressing the header using a first format (Birdwell see especially col 4, lines 42-54), and periodically generating at least one parameter of the first format (Birdwell see especially col 5, line 66 – col 6, line 10).

As to claim 1, the system of Birdwell as applied to claim 10 would perform the claimed steps.

As to claims 2,7, note that Birdwell's system is a uni-directional broadcast system (Birdwell see especially col 3, line 62 – col 4, line 6).

As to claims 3,9,14,15, note that the parameter is interleaved, i.e. transmitted periodically between broadcast content (Birdwell see especially col 5, line 59 – col 6, line 10).

As to claims 4,8, note that Birdwell teaches the broadcast being transmitted as Internet protocol packets (Birdwell see especially col 4, lines 41-54).

Consider claim 11. Birdwell teaches a wireless system comprising means for receiving a transmission frame (Birdwell see especially col 7, lines 1-6), the frame having a header compressed using a first format; means for receiving a parameter

describing the format and means for decompressing the frame using the first format (Birdwell see especially col 7, lines 15-60).

As to claim 6, the system of Birdwell as applied to claim 11 would perform the claimed steps.

As to claim 12, note that Birdwell teaches a digital storage device with a set of instruction i.e. an operating system to perform the steps show in the rejection of claim 11, above (Birdwell see especially col 7, lines 1-23).

As to claim 13, note that Birdwell teaches a broadcast content comprising a plurality of frames having compressed headers, and a header protocol portion including decompression information (Birdwell see especially col 5, line 59 – col 6, line 10).

2. Claims 1-2,4-8,10-11,13 are rejected under 35 U.S.C. 102(b) as being anticipated by Bormann, "Robust Header Compression (ROHC): Framework and four profiles: RTP, UDP, ESP" Internet Engineering Task Force IETF Draft.

Consider claim 10. Bormann teaches a wireless system comprising means for generating a transmission frame (Bormann see especially sections 1,2, pages 6-9), determining a header for her transmission frame, compressing the header using a first format, and periodically generating at least one parameter of the first format (Bormann see especially section 4.2,4.3, pages 18-19).

As to claim 5, note that Bormann's compression is ROHC (Bormann see especially section 4.2, page 18).

As to claim 1, the system of Bormann as applied to claim 10 would perform the claimed steps.

As to claims 2,7, note that Bormann's system is a unidirectional broadcast system (Bormann see especially sections 5.3, page 49).

As to claims 4,8, note that Bormann teaches the broadcast being transmitted as Internet protocol packets (Bormann see especially section 1, pages 6,7).

Consider claim 11. Bormann teaches a wireless system comprising means for receiving a transmission frame, the frame having a header compressed using a first format; means for receiving a parameter describing the format and means for decompressing the frame using the first format (Bormann see especially section 5.3.1.3-5.3.2.2.2 pages 50-52).

As to claim 6, the system of Bormann as applied to claim 11 would perform the claimed steps.

As to claim 13, note that Bormann teaches a broadcast content comprising a plurality of frames having compressed headers, and a header protocol portion including decompression information (Bormann see especially section 5.1.3, page 37).

Response to Arguments

3. Applicant's arguments filed January 28, 2004 have been fully considered but they are not persuasive.

4. Applicant has attempted to amend to differ the claims from Birdwell by specifying that the decompression header segment is separate from the payload frame. However it should be noted that Birdwell teaches the decompression information being in the header segment which is different from the data segment or frame (Birdwell see for example fig 5). Note that the terms "segments" and "frames" could have any particular

Art Unit: 2684

meaning relating to bit size depending on how the system had been set up. Therefore unless more specifics of the terms "segment" and "separate frame" are included in the claim, the terminology alone cannot distinguish over Birdwell.

Conclusion

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Sobutka whose telephone number is 703-305-4825. The examiner can normally be reached on Monday-Friday 8:30-5:00.

Art Unit: 2684

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Philip Sobutka

Pjs

April 2, 2004


NAY MAUNG
SUPERVISORY PATENT EXAMINER